## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

MARLAYNA G. TILLMAN.

v.

Plaintiff, C.A. No.: 04-1314-SLR

THE PEPSI BOTTLING GROUP, INC., and TEAMSTERS LOCAL UNION 830,

Defendants.

## MOTION FOR RECONSIDERATION OF DEFENDANT BOTTLING GROUP, LLC

Defendant Bottling Group, LLC by its undersigned attorneys, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 59(e) and Local Rule 7.1.5 for an Order granting judgment in its favor and against Plaintiff. The reasons for this motion are set forth in the accompanying Memorandum of Law.

Dated: April 2, 2008 Wilmington, Delaware Respectfully submitted,

/s/ Leslie C. Heilman

Leslie C. Heilman (DE Bar No. 4716) Ballard Spahr Andrews & Ingersoll, LLP 919 N. Market Street, 12<sup>th</sup> Floor

Wilmington, DE 19801-3034 Telephone: (302) 252-4465 Facsimile: (302) 252-4466

Email: heilmanl@ballardspahr.com

Attorneys for Defendant, Bottling Group, LLC

OF COUNSEL: Daniel V. Johns Lucretia C. Clemons Aisha M. Barbour Ballard Spahr Andrews & Ingersoll, LLP 1735 Market Street, 51st Floor Philadelphia, PA 19103-7599 (215) 665-8500